



App. No. 09/308,829
Response dated May 23, 2003
Reply to Office Communication of April 23, 2003

RECEIVED

MAY 30 2003

TECH CENTER 1600/2900

09/308,829

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SCHLIEVERT ET AL.	Examiner:	J. HINES
Serial No.:	09/308,829	Group Art Unit:	1641
Filed:	JULY 14, 1999	Docket No.:	600.347USWO
Title:	MUTANTS OF STREPTOCOCCAL TOXIN C AND METHODS OF USE		

AMDT

27/G

hinda
6/9/03

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 23, 2003.

Kristine A. Wallace
Kristine A. Wallace

RESPONSE

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Communication mailed April 23, 2003, please enter this response and the accompanying computer readable sequence listing, and consider the following remarks for the patent application identified above. Claims 24-27, 35-37 and 45-99 are pending. No new matter is introduced.

The Office Communication mailed April 23, 2003 did not set a one month period for reply pursuant to 37 C.F.R. § 1.135(c). Applicants' Amendment and Response mailed February 13, 2003 was a bona fide attempt to advance the application and was a substantially complete reply to a non-final Office Action. The Amendment and Response was incomplete only through inadvertent omission of an updated computer readable version of the sequence listing. The original computer readable version of the sequence listing had been submitted during the international phase of prosecution.

Therefore, Applicants respectfully submit that the present response is timely and completes a previous bona fide response. Applicants respectfully request further prosecution of the present application.

Applicants assert that each of claims 24-27, 35-37 and 45-99 are in condition for allowance, and notification to that effect is earnestly solicited.

The Examiner is invited to contact Applicants' undersigned representative at the telephone number provided below, if the Examiner believes that doing so will expedite prosecution of the application.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612) 332-5300

Date:

May 23, 2003

Mark T. Skoog

Mark T. Skoog
Reg. No. 40,178
MTS:sab

